

From: Abelow, Mike MAbelow@srvhaw.com
Subject: FW: Prime
Date: November 15, 2023 at 1:07 PM
To: Dan Cosgrove dan@anthemcp.com

MA

From: Abelow, Mike
Sent: Wednesday, November 15, 2023 12:07 PM
To: Ned Trombly <ntrombly@barclaydamon.com>
Cc: Perkins, Frances <FPerkins@srvhaw.com>
Subject: RE: Prime

Ned, still no wire. We are proceeding with our complaint and TRO.

From: Abelow, Mike <MAbelow@srvhaw.com>
Sent: Tuesday, November 14, 2023 5:16 PM
To: Ned Trombly <ntrombly@barclaydamon.com>
Subject: RE: Prime

Ned, my client advises that it did not receive the wire today. So even under your client's erroneous interpretation below it is in further breach. Please advise. I continue to reserve all rights

From: Abelow, Mike
Sent: Monday, November 13, 2023 9:58 AM
To: Ned Trombly <ntrombly@barclaydamon.com>
Subject: RE: Prime

Ned, the contract requires that the ICA have been returned within "30 international business-banking days." See section 13.7 of the Development Line of Credit Agreement. It appears that your client excluded days based on legal holidays in the United States (Columbus Day and Veterans Day), which should not have been excluded. That said, if the funds are received by 11 a.m. Eastern tomorrow we will not consider this item to be a breach. All other rights and remedies are reserved.

From: Kimmy Humphrey <kimmy@primecommerciallending.com>
Sent: Friday, November 10, 2023 3:37 PM
To: Abelow, Mike <MAbelow@srvhaw.com>; Perkins, Frances <FPerkins@srvhaw.com>
Cc: Ned Trombly <ntrombly@barclaydamon.com>; Kris Roglieri <kris@primecommerciallending.com>
Subject: Re: Prime

To All,

The client's termination was received on 9/29. 30 banking days is Tuesday, Nov 14th Not today

Close, but it is on Tuesday.

Regards,
Kimberly

From: "Trombly, Ned" <NTROMBLY@barclaydamon.com>
Date: November 9, 2023 at 3:12:27 PM EST
To: kris@primecommerciallending.com,
kris@commercialcapitaltraining.com
Subject: FW: Prime

Ned Trombly

Partner

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From: Abelow, Mike <MAbelow@srvhlaw.com> them I haven
Sent: Thursday, November 9, 2023 1:47 PM
To: Trombly, Ned <NTROMBLY@barclaydamon.com>
Cc: Perkins, Frances <FPerkins@srvhlaw.com>
Subject: Prime

Ned,

As we've discussed, my client is extremely frustrated with his experience with Prime. I have continued to convince him to be patient and wait till November 10th before making any rash decisions. However, we are now a day away and we don't have clarity on when/if the money will be returned. So

that we can both minimize the headaches that could ensue
can you please let us know when the money will arrive?

To simplify your process of returning the funds so that they
hit tomorrow here is the banking information.

Bank: U.S. Bank

Routing: 042000013

Account #: [REDACTED]

Beneficiary: 526 Murfreesboro LLC

From: Abelow, Mike <MAbelow@srvhlaw.com>

Sent: Tuesday, November 7, 2023 10:54 AM

To: Trombly, Ned <NTROMBLY@barclaydamon.com>;

Perkins, Frances <FPerkins@srvhlaw.com>

Subject: RE: reschedule our call?

Ned, any update on this?

Also, by our calculation the ICA deposit funds are due to be
returned on Friday. Can you confirm that timing will be met in
order to avoid litigation early next week?

--
Kimberly Humphrey
Prime Capital Ventures
Executive Vice President
66 South Pearl 10th Floor
Albany, NY 12207